



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1484

by Rep. Chapin Rose

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4
15 ILCS 335/5

from Ch. 124, par. 24
from Ch. 124, par. 25

Amends the Illinois Identification Card Act. Provides that a photograph is not required on an Illinois Identification Card or an Illinois Disabled Person Identification Card if the applicant is prohibited by bona fide religious convictions from being photographed. Requires that the Secretary of State determine by rule which religious orders and sects have bona fide religious convictions against a person being photographed.

LRB097 03061 RLJ 43093 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Identification Card Act is amended
5 by changing Sections 4 and 5 as follows:

6 (15 ILCS 335/4) (from Ch. 124, par. 24)

7 Sec. 4. Identification Card.

8 (a) The Secretary of State shall issue a standard Illinois
9 Identification Card to any natural person who is a resident of
10 the State of Illinois who applies for such card, or renewal
11 thereof, or who applies for a standard Illinois Identification
12 Card upon release as a committed person on parole, mandatory
13 supervised release, final discharge, or pardon from the
14 Department of Corrections by submitting an identification card
15 issued by the Department of Corrections under Section 3-14-1 of
16 the Unified Code of Corrections, together with the prescribed
17 fees. No identification card shall be issued to any person who
18 holds a valid foreign state identification card, license, or
19 permit unless the person first surrenders to the Secretary of
20 State the valid foreign state identification card, license, or
21 permit. The card shall be prepared and supplied by the
22 Secretary of State and shall include a photograph and signature
23 or mark of the applicant. A photograph is not required,

1 however, if the applicant is prohibited by bona fide religious
2 convictions from being photographed. The Secretary of State
3 shall determine by rule which religious orders and sects have
4 bona fide religious convictions against a person being
5 photographed. The Illinois Identification Card may be used for
6 identification purposes in any lawful situation only by the
7 person to whom it was issued. As used in this Act, "photograph"
8 means any color photograph or digitally produced and captured
9 image of an applicant for an identification card. As used in
10 this Act, "signature" means the name of a person as written by
11 that person and captured in a manner acceptable to the
12 Secretary of State.

13 (a-5) If an applicant for an identification card has a
14 current driver's license or instruction permit issued by the
15 Secretary of State, the Secretary may require the applicant to
16 utilize the same residence address and name on the
17 identification card, driver's license, and instruction permit
18 records maintained by the Secretary. The Secretary may
19 promulgate rules to implement this provision.

20 (b) The Secretary of State shall issue a special Illinois
21 Identification Card, which shall be known as an Illinois
22 Disabled Person Identification Card, to any natural person who
23 is a resident of the State of Illinois, who is a disabled
24 person as defined in Section 4A of this Act, who applies for
25 such card, or renewal thereof. No Disabled Person
26 Identification Card shall be issued to any person who holds a

1 valid foreign state identification card, license, or permit
2 unless the person first surrenders to the Secretary of State
3 the valid foreign state identification card, license, or
4 permit. The Secretary of State shall charge no fee to issue
5 such card. The card shall be prepared and supplied by the
6 Secretary of State, and shall include a photograph and
7 signature or mark of the applicant, a designation indicating
8 that the card is an Illinois Disabled Person Identification
9 Card, and shall include a comprehensible designation of the
10 type and classification of the applicant's disability as set
11 out in Section 4A of this Act. A photograph is not required,
12 however, if the applicant is prohibited by bona fide religious
13 convictions from being photographed. The Secretary of State
14 shall determine by rule which religious orders and sects have
15 bona fide religious convictions against a person being
16 photographed. If the applicant so requests, the card shall
17 include a description of the applicant's disability and any
18 information about the applicant's disability or medical
19 history which the Secretary determines would be helpful to the
20 applicant in securing emergency medical care. If a mark is used
21 in lieu of a signature, such mark shall be affixed to the card
22 in the presence of two witnesses who attest to the authenticity
23 of the mark. The Illinois Disabled Person Identification Card
24 may be used for identification purposes in any lawful situation
25 by the person to whom it was issued.

26 The Illinois Disabled Person Identification Card may be

1 used as adequate documentation of disability in lieu of a
2 physician's determination of disability, a determination of
3 disability from a physician assistant who has been delegated
4 the authority to make this determination by his or her
5 supervising physician, a determination of disability from an
6 advanced practice nurse who has a written collaborative
7 agreement with a collaborating physician that authorizes the
8 advanced practice nurse to make this determination, or any
9 other documentation of disability whenever any State law
10 requires that a disabled person provide such documentation of
11 disability, however an Illinois Disabled Person Identification
12 Card shall not qualify the cardholder to participate in any
13 program or to receive any benefit which is not available to all
14 persons with like disabilities. Notwithstanding any other
15 provisions of law, an Illinois Disabled Person Identification
16 Card, or evidence that the Secretary of State has issued an
17 Illinois Disabled Person Identification Card, shall not be used
18 by any person other than the person named on such card to prove
19 that the person named on such card is a disabled person or for
20 any other purpose unless the card is used for the benefit of
21 the person named on such card, and the person named on such
22 card consents to such use at the time the card is so used.

23 An optometrist's determination of a visual disability
24 under Section 4A of this Act is acceptable as documentation for
25 the purpose of issuing an Illinois Disabled Person
26 Identification Card.

1 When medical information is contained on an Illinois
2 Disabled Person Identification Card, the Office of the
3 Secretary of State shall not be liable for any actions taken
4 based upon that medical information.

5 (c) Beginning January 1, 1986, the Secretary of State shall
6 provide that each original or renewal Illinois Identification
7 Card or Illinois Disabled Person Identification Card issued to
8 a person under the age of 21, shall be of a distinct nature
9 from those Illinois Identification Cards or Illinois Disabled
10 Person Identification Cards issued to individuals 21 years of
11 age or older. The color designated for Illinois Identification
12 Cards or Illinois Disabled Person Identification Cards for
13 persons under the age of 21 shall be at the discretion of the
14 Secretary of State.

15 (c-1) Beginning January 1, 2003, each original or renewal
16 Illinois Identification Card or Illinois Disabled Person
17 Identification Card issued to a person under the age of 21
18 shall display the date upon which the person becomes 18 years
19 of age and the date upon which the person becomes 21 years of
20 age.

21 (d) The Secretary of State may issue a Senior Citizen
22 discount card, to any natural person who is a resident of the
23 State of Illinois who is 60 years of age or older and who
24 applies for such a card or renewal thereof. The Secretary of
25 State shall charge no fee to issue such card. The card shall be
26 issued in every county and applications shall be made available

1 at, but not limited to, nutrition sites, senior citizen centers
2 and Area Agencies on Aging. The applicant, upon receipt of such
3 card and prior to its use for any purpose, shall have affixed
4 thereon in the space provided therefor his signature or mark.

5 (e) The Secretary of State, in his or her discretion, may
6 designate on each Illinois Identification Card or Illinois
7 Disabled Person Identification Card a space where the card
8 holder may place a sticker or decal, issued by the Secretary of
9 State, of uniform size as the Secretary may specify, that shall
10 indicate in appropriate language that the card holder has
11 renewed his or her Illinois Identification Card or Illinois
12 Disabled Person Identification Card.

13 (Source: P.A. 95-762, eff. 1-1-09; 95-779, eff. 1-1-09; 96-146,
14 eff. 1-1-10; 96-328, eff. 8-11-09; 96-1231, eff. 7-23-10.)

15 (15 ILCS 335/5) (from Ch. 124, par. 25)

16 Sec. 5. Applications. Any natural person who is a resident
17 of the State of Illinois, may file an application for an
18 identification card or for the renewal thereof, in a manner
19 prescribed by the Secretary. Each original application shall be
20 completed by the applicant in full and shall set forth the
21 legal name, residence address and zip code, social security
22 number, birth date, sex and a brief description of the
23 applicant. The applicant shall be photographed, unless the
24 applicant is exempt under subsection (a) or (b) of Section 4,
25 and he or she shall also submit any other information as the

1 Secretary may deem necessary or such documentation as the
2 Secretary may require to determine the identity of the
3 applicant. In addition to the residence address, the Secretary
4 may allow the applicant to provide a mailing address. An
5 applicant for a disabled persons card must also submit with
6 each original or renewal application, on forms prescribed by
7 the Secretary, such documentation as the Secretary may require,
8 establishing that the applicant is a "disabled person" as
9 defined in Section 4A of this Act, and setting forth the
10 applicant's type and class of disability as set forth in
11 Section 4A of this Act.

12 (Source: P.A. 96-1231, eff. 7-23-10.)